

contesting the allegations of the petitioner, and the justice of his claim, or that of any other creditor who may afterwards come in, as is allowed on a creditor's bill, by merely filing the voucher of his claim; and also, he or the trustee to give notice in the usual way, to the creditors to bring in their claims.

Whereupon it is ordered, that the surplus of the proceeds of the sale of the said mortgaged estate be applied to the satisfaction of the debts of the said Jonathan N. Laughlin, deceased, unless good cause be shewn to the contrary on the second day of June next. Provided a copy of this order, together with a copy of the said petition, be served on the said defendants on or before the 12th day of April next. And it is further ordered, that the said trustee, by publication to be inserted in some newspaper, twice a week for three successive weeks before the twelfth day of April next, give notice to the creditors of the said late Jonathan N. Laughlin to file the vouchers of their claims in the Chancery office, on or before the second day of June next.

After which, upon the usual proof and certificate that notice had been given, and publication made as required by this order, the matter was submitted.

BLAND, C., 9th July, 1828.—Ordered, that the matter of the said petition be, and the same is hereby taken *pro confesso*; no cause having been shewn, although notice has been given as
479 * ordered. And it is further ordered, that this case be and the same is hereby referred to the auditor with directions to state an account accordingly.

In obedience to this order the auditor reported a distribution of the surplus of the proceeds among twelve of the creditors of the deceased, nine of whom had come in under the order of the 14th of March; which distribution of the auditor was confirmed, and the trustee directed to apply the proceeds accordingly, on the 28th of August, 1828, and the whole case so finally closed.

FORSNILL v. MURRAY.

MARRIAGE.—VALIDITY.—PROOF.—ALIMONY.

The contract of marriage is the parent, not the child of civil society. (a)
 If valid where celebrated, it is valid everywhere. (b)

by the auditor to Roderick Warfield the petitioner, and hitherto reserved, be paid to him in the manner directed as to others. (*Jones v. Jones, ante*, 443.)

(a) Cited in *Le Brun v. Le Brun*, 55 Md. 503.

(b) Approved in *Van Voorhis v. Brintnall*, 86 N. Y. 25.